

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  QWEST CORPORATION	DOCKET NO. RPU-01-6
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**ORDER DOCKETING FILING AND ESTABLISHING  
PROCEDURAL SCHEDULE**

(Issued July 20, 2001)

On June 22, 2001, Qwest Corporation (Qwest) filed proposed prices for wholesale services and unbundled network elements (UNEs). In the cover letter accompanying the filing, Qwest states the filing is intended to establish prices for new UNEs that Qwest intends to offer through its Statement of Generally Available Terms and Conditions (SGAT). The SGAT is a document, which a Bell Operating Company (such as Qwest) may file for state commission review and approval in order to comply with the requirements of 47 U.S.C. § 251 (2001). This filing is not the SGAT itself, but the prices resulting from this docket will be included in Qwest's Iowa SGAT. Qwest states that the proposed rates are for UNEs that were not included in the prior Qwest wholesale cost proceeding, Docket No. RPU-96-9.

On July 12, 2001, the Consumer Advocate Division of the Department of Justice (Consumer Advocate) filed an objection to and request for docketing of Qwest's filing. Consumer Advocate states the filing raises important issues concerning whether the proposed prices are cost-based and whether the costing

methodology used by Qwest to derive the proposed prices complies with applicable state and federal law. Consumer Advocate asks that the Board docket the matter as a formal contested case proceeding and establish a procedural schedule.

To allow the Utilities Board (Board) time to fully consider the proposed increase, the filing will be docketed as a formal proceeding identified as Docket No. RPU-01-6, pursuant to Iowa Code § 476.101 (2001).

**IT IS THEREFORE ORDERED:**

1. An investigation is instituted to determine the reasonableness of the proposed unbundled network element prices filed by Qwest Corporation on June 22, 2001. This matter will be identified as Docket No. RPU-01-6, a formal contested case proceeding. The expenses reasonably attributable to this investigation shall be assessed to the parties and participants in this matter in accordance with Iowa Code § 476.101(1).

2. The following procedural schedule is established:

a. The deadline for intervention in this docket shall be August 17, 2001. Any petition to intervene after that date must show good reason for being late and must accept the procedural schedule as set.

b. The parties shall notify the Board prior to October 2, 2001, if they desire a prehearing conference.

c. Consumer Advocate and any intervenors shall file prepared direct testimony, with underlying workpapers and exhibits, on or before

August 31, 2001. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.

d. Qwest shall file its rebuttal testimony, with underlying workpapers and exhibits, on or before September 26, 2001.

e. Consumer Advocate and any intervenor shall file rebuttal testimony on any of issues raised initially in that party's direct testimony and responded to by another party, on or before October 2, 2001.

f. The parties shall file a joint statement of the issues on or before October 5, 2001.

g. All parties, which choose to file a prehearing brief, may do so on or before October 5, 2001.

h. A hearing shall be held beginning at 9 a.m. on November 1, 2001, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held in the Board's Hearing Room at 350 Maple Street, Des Moines, Iowa. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

i. The parties may file simultaneous initial briefs on or before November 16, 2001.

j. All parties who filed initial briefs may file reply briefs on or before November 28, 2001.

3. In the absence of objection, all underlying workpapers shall become a part of the evidentiary record of these proceedings at the time the related testimony and exhibits are entered into the record.

4. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination, which have not been previously filed, shall become a part of the evidentiary record of these proceedings. The party making reference to the data request shall file an original and six copies of the data request and response with the Board at the earliest possible time.

5. In the absence of objection, when the Board has called for further evidence on any issue and the evidence is filed after the close of the hearing, the evidentiary record will be reopened and the evidence will become part of the record five days after the evidence is filed with the Board. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of the hearing in this proceeding.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper  
Acting Executive Secretary

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Dated at Des Moines, Iowa, this 20<sup>th</sup> day of July, 2001.